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Maxine Johnson  
3947 W. Polk St. Apt. 1  
Chicago, IL 60624  
March 22, 2003

Administrative Law Judge Sainot  
Illinois Commerce Commission  
State of Illinois Building  
160 N. LaSalle, Suite C-800  
Chicago, Illinois 60601

Pet. for Interlocutory  
Review of ALJ Ruling  
02-0680

Dear Judge Sainot:

I wish to address and request an appeal to the ruling against my response in the matter of the Motion to Compel Discovery. The order of November 20, 2002 as stated, explained, and demonstrated by example, was to be met no later than December 6, 2002. I the Complainant, met that order and feel it only fair that the Peoples Energy/Peoples Gas responsibility be the same.

Attorney Peter Brigidia for Peoples Energy/Gas in his Motion to Compel Discovery of January 13, 2003 was adamant and constantly stated throughout the document how he served request on December 6, 2002... untrue, he did not, and that's in violation of the order as declared and stated; he continues with, I the Complainant as failing to comply, when in fact it is he who has failed to meet compliance.

He further states how he'd like to avoid unnecessary delay and not be unreasonably annoyed and such, etc. ... yet his misrepresenting of facts are cause of delay and annoyance and thus he presents himself as the inconvenienced and wronged party; case in point; all of the allowances<sup>requested</sup> throughout the document for extensions, postponements,

and the like, one after the other, at every turn to his behalf, to change and alter the order previously set forth. Another case in point; why the allowance of extension for Peoples Energy/Gas, granted and continuance of Trial date April 22, 2003... postponed until May 22, 2003?

Attorney Brigidia's Motion of February 24, 2003 brings forth Story version #2. It is his legal assistant who was instructed on Friday, December 6, 2002 by him to mail out that day, the Discovery Request. I suspect and believe upon further investigation, this will be found untrue and will thus spin another story version.

He further states my intentions as tactical games, when it is he who spins and employ tactical games, and hostility. (See attachment, Exhibit 1). Further example of delay, annoyance, and requiring correspondence by mail, back & forth with his malicious plays to disrupt proceeding forward, and thus interfering with and disrespecting court time.

He continues with how I waived my right to objection; How could I waive a right I'm unaware of, something I don't even know what it is, what it means, what I'm required to do about it, hasn't been explained or detailed to me, etc? Why is that allowed and not disclosed to me? But wouldn't this follow behind obligation one before it, which is Discovery Request order by December 6, 2002, which was outlined and explained, and demonstrated? And reminder, wasn't followed by him.

Attorney Brigidia further states that I did not serve response to the Respondent's Motion to Compel until February 15, 2003 (as ordered) by Chief Clerk. (See Attachment, Exhibit 2). In fact I met this order criteria, which is dated February 10, 2003, and states within 7 days. February 15, 2003 is within that order ruling.

I feel that my response to Respondent's Motion to Compel Discovery met with the initial order as detailed and explained at hearing November 20, 2002 and to be classified as an untimely theory and denied is prejudicial; what is noted as untimely and one business day late, by Attorney Brigida explanation, contradicts his stories and versions told at different times, and is not a theory, but the fact as outlined in the order placing the cut-off at December 6, 2002.

I respectfully request that :

- 1) The ruling be appealed and or no strike as denied .
- 2) A sworn affidavit be issued and entered for the record of the legal assistant referenced by Attorney Brigida .
- 3) Subpoenas' for Trial date May 22, 2003 for individuals :
  1. K. Staley, Peoples Energy/Gas , (Special Services )
  2. Legal Assistant of Attorney Brigida referenced above and in his Motion of February 24, 2003 .
  3. Carol Mastro, Illinois Commerce Commission, Counselor
  4. Shumate, Receptionist, Illinois Commerce Commission

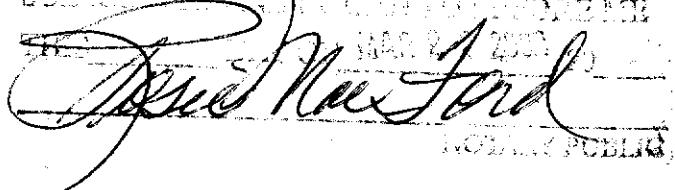
If responses continue by mail instead of in person hearings, please include any and all necessary details, guidelines, example formats, instructions, that may be required of me, apply to me, and such, be sent to me, along with the response, so that I am not on a back forth mission to contact individuals for format, answers, etc. So that Clarity and timely completion on my part is met, in order to proceed forward and not cause further delay.

State of Illinois

County of Cook

SUBSCRIBED AND SWORN TO IN THE CITY OF CHICAGO

Dated this 27th day of April, 2003  
Sincerely,  
Majine Johnson

  
Majine Johnson  
Notary Public



## VERIFICATION

I, Maxine Johnson, being first duly sworn upon oath,  
depose and say that I have read the above and foregoing  
Complainant's Response to the Ruling to Compel Discovery by me  
Subscribed and Know the contents thereof; and that said contents  
are true in substance and in fact.

By Maxine Johnson



Maxine Johnson

Complainant

Subscribed and Sworn to before  
me this 1 day of Sept 2, 2003

A large, handwritten signature of "Rosie Mae Ford" is written over two lines. Below the signature, the words "Notary Public" are written in a smaller, cursive font.

## NOTICE OF FILING

To: Peter Brigida  
Atty. for Peoples Energy / Peoples Gas  
130 E. Randolph Dr., 23<sup>rd</sup> Fl.  
Chicago, Illinois 60601

Administrative Law Judge Sainsot  
Illinois Commerce Commission  
State of Illinois Building  
160 N. LaSalle, Suite C-800  
Chicago, Illinois 60601

Chief Clerk (Office of)  
Elizabeth A. Rotando  
Illinois Commerce Commission  
527 East Capital Avenue  
Springfield, Illinois 62701

PLEASE TAKE NOTICE that on this 22<sup>nd</sup> day of March, 2003, I have filed with the Chief Clerk of the Illinois Commerce Commission, the Response to the Ruling to Compel Discovery of The Peoples Energy / Peoples Gas Light and Coke Company, a copy of which is hereby served upon you.

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served this Complainants' Response to the Ruling to Compel Discovery by USPS, by personal delivery or by placing a copy thereof in the United States mail with first class postage affixed, addressed to the Respondent and the Administrative Law Judge in Docket No. 02-0680. Dated at Chicago, Illinois this 22<sup>nd</sup> day of March, 2003.

Respectfully submitted,

By Maxine Johnson  
Maxine Johnson  
Complainant